

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ROMAN FINNEGAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
vs.)	NO. 3:08-CV-503
)	
LAUREL MYERS, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION AND ORDER

This matter is before the Court on Plaintiffs' Motion to Dismiss James Cavanaugh, M.D., filed by Plaintiffs on September 1, 2015. (DE #308.) After due consideration, and noting that no objections have been filed by any of the Defendants, the Court, in its discretion, **GRANTS** Plaintiffs' motion to dismiss all claims against Defendant James Cavanaugh pursuant to Federal Rule of Civil Procedure 41(a)(2).¹ Defendant James Cavanaugh is hereby **DISMISSED** from this case.

DATED: September 8, 2015

/s/ RUDY LOZANO, Judge
United States District Court

¹ Voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(2) is allowed at the district court's discretion, which is abused only when a defendant has shown that he will suffer "plain legal prejudice" if dismissal is granted. See *Tyco Laboratories, Inc. v. Koppers, Co.*, 627 F.2d 54, 56 (7th Cir. 1980). Here, there has been no such showing, and the Court finds that dismissal is appropriate. See e.g. *Kunz v. DeFelice*, 538 F.3d 667, 677-78 (7th Cir. 2008)